

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Dierks, Jr. et al.**

Serial No.: **10/621,931**

Filed: **July 17, 2003**

For: **Method and Apparatus for
Transferring Data from a Memory
Subsystem to a Network Adapter for
Improving the Memory Subsystem and
PCI Bus Efficiency**

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Group Art Unit: **2186**

Examiner: **Thai, Tuan V.**

Attorney Docket No.: **AUS920030471US1**

**Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

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PATENT TRADEMARK
OFFICE CUSTOMER

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
NOTICE OF ALLOWANCE NOT RECEIVED**

I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Notice of Allowance forming the basis of the abandonment was not received. I hereby state: (a) the Notice of Allowance, as mailed on December 15, 2005, was not received; (b) the Notice of Allowance was returned to the USPTO as undeliverable; and (c) a search of the file jacket and the docket records in my office indicates that this Notice of Allowance was not received.

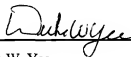
I attach a copy of the docket record where the non-received Notice of Allowance would have been entered had it been received and docketed. As additional evidence of non-receipt of the Office Action, I also attach a statement from the Paralegal, Dell Whitton, who would have docketed the Notice of Allowance had it been received.

I also attach as evidence of non-receipt of the Notice of Allowance, a printout of the USPTO image file wrapper showing that the "Mail returned to USPTO as undelivered" on 12-27-05.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the Notice of Allowance as mailed on December 15, 2005, according to the USPTO Patent Application Information Retrieval system, be re-dated and mailed so that our office can respond in a timely manner.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Duke W. Yee", is written over a horizontal line.

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